

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-280]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Minimum Audit Procedures

Identification Number: BA-1

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

July 30, 2012

3. Summary of the contents of the substantive policy statement:

This policy statement establishes a minimum audit standard for bank licensees. In 1998, the Arizona State Banking Department adopted the Federal Deposit Insurance Corporation's "Statement of Policy Regarding Independent External Auditing Programs of State Nonmember Banks" as the minimum requirements of the audit. This was rescinded in 1999 and replaced with the FDIC's "Interagency Policy Statement on External Auditing Programs of Banks and Savings Associations" in an effort to meet safety and soundness guidelines implemented in section 39 of the Federal Deposit Insurance Act (12 U.S.C. 1831 p-1).

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 6-186

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018

Telephone: (602) 771-2800

Fax: (602) 381-1235

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Copies are available at the Department of Financial Institutions, 2910 N. 44th St., Suite 310, Phoenix, AZ 85018 or from the person listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-279]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Document title: Legal Lending Limit
Identification Number: BA-2
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued: September 29, 1995
Effective: August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department issued a policy adopting the "Office of the Comptroller of Currency's Common Enterprise" definition in determining legal lending limits.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 6-352
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Copies are available at the Department of Financial Institutions, 2910 N. 44th St., Suite 310, Phoenix, AZ 85018 or from the person listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-270]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Document title: Legal Lending Restrictions
Identification Number: BA-3
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued: September 29, 1995
Effective: August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department issued a policy regarding the application of legal lending limit restrictions to loan renewals when the outstanding amounts of such loans exceed the bank's legal lending limit.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
Title 6, Arizona Revised Statutes
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.

Notices of Substantive Policy Statements

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-277]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Loan Production Offices
Identification Number: BA-6

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: September 29, 1995
Effective: July 30, 2012

3. Summary of the contents of the substantive policy statement:

Activities that can be conducted at a Loan Production Office without constituting banking office operations for purposes of A.R.S. § 6-101(3).

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 6-101(3)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
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Fax: (602) 381-1235

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-278]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Sale of Insurance

Notices of Substantive Policy Statements

Identification Number: CL-1

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

June 11, 1997; effective July 30, 2012

3. Summary of the contents of the substantive policy statement:

The policy allows consumer lenders to sell credit life insurance and credit disability insurance as long as it bars a reasonable relationship to the existing hazard or risk of loss and is written by an agent that is licensed in this state and by an insurance company authorized to conduct such business in this state. The policy also explains when a licensed insurance agent is required to be present.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 6-636

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-281]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Dual Licenses

Identification Number: CL-2

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: June 11, 1997

Effective: August 1, 2012

3. Summary of the contents of the substantive policy statement:

The policy explains that there is no statutory or regulatory prohibition against a duly qualified corporate entity holding both a consumer lending license and a mortgage banker license.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

Title 6, Arizona Revised Statutes

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018

Telephone: (602) 771-2800

Notices of Substantive Policy Statements

Fax: (602) 381-1235

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-272]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: NCUA Investment Regulation Part 703

Identification Number: CU-1

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: December 18, 1997

Effective: August 1, 2012

3. Summary of the contents of the substantive policy statement:

To provide guidance and direction to credit unions on the policies, procedures, and controls that should be incorporated into a safe and sound investment function.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. §§ 6-576 and 6-577

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-274]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Semi-Annual Report

Identification Number: EA-1

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: September 29, 1995

Effective: July 30, 2012

Notices of Substantive Policy Statements

3. Summary of the contents of the substantive policy statement:

The Department issued a policy concerning the Semi-Annual reports due to the Superintendent of Banks regarding business activity escrow agents.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. §§ 6-816 and 6-832(B)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-269]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Anti-Inducement Statute

Identification Number: EA-2

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: September 29, 1995

Effective: August 1, 2012

3. Summary of the contents of the substantive policy statement:

The Department issued a policy concerning the prohibition on payment of commissions or other consideration as an inducement or as compensation for any escrow business.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 6-836

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
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Telephone: (602) 771-2800
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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-282]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Document title: Applications
Identification Number: GE-1
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department has issued a policy providing guidelines for the approval of applications to assure uniform and fair treatment of all applicants.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. §§ 6-121, 6-122 and 6-123
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Copies are available at the Department of Financial Institutions, 2910 N. 44th St., Suite 310, Phoenix, AZ 85018 or from the person listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-283]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Document title: Short Distance Relocation of Office
Identification Number: GE-2
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department has issued a policy providing defining guidelines for the short distance relocation of banks, savings and loan association, and credit union offices.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
Title 6 Arizona Revised Statutes
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Louis Dettorre

Notices of Substantive Policy Statements

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018

Telephone: (602) 771-2800

Fax: (602) 381-1235

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-271]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Credit Reports/Arrest Records

Identification Number: GE-3

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

August 1, 2012

3. Summary of the contents of the substantive policy statement:

The Department issued a policy advising applicants that credit reports and Federal Bureau of Investigation reports of arrest records may be obtained to help the Department determine the character/reputation and/or its director's and responsible individuals.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

Title 6 Arizona Revised Statutes

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018

Telephone: (602) 771-2800

Fax: (602) 381-1235

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

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NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-273]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Loan Agreements

Identification Number: MB-2

Notices of Substantive Policy Statements

2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued: December 18, 1997
Effective: August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department has issued a policy concerning loan agreements that restrict active competition.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 6-909
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Copies are available at the Department of Financial Institutions, 2910 N. 44th St., Suite 310, Phoenix, AZ 85018 or from the person listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-276]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Document title: Renewal Fees
Identification Number: MB-4
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued: September 29, 1995
Effective: August 1, 2012
3. **Summary of the contents of the substantive policy statement:**
The Department issued a policy concerning the number of loans negotiated or closed by a license during the immediately preceded calendar year.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 6-126
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a revised policy substantive policy statement.
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Louis Dettorre
Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2800
Fax: (602) 381-1235

Notices of Substantive Policy Statements

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Copies are available at the Department of Financial Institutions, 2910 N. 44th St., Suite 310, Phoenix, AZ 85018 or from the person listed above.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF FINANCIAL INSTITUTIONS

[M12-275]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Document title: Audit Requirements

Identification Number: TC-2

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued: October 7, 1998

Effective: August 1, 2012

3. Summary of the contents of the substantive policy statement:

The policy statement clears up confusion that exists regarding the requirements that must be included in the financial statements audit submitted by a certified public accountant in accordance with A.R.S. § 6-859(B) and (C).

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 6-859(B) and (C)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revised policy substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Louis Dettorre

Address: Arizona Department of Financial Institutions
2910 N. 44th St., Suite 310
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NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF NURSING

[M12-268]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Revised Administrative Violation; Administrative Penalty Practicing Without a License/Certificate

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

October 14, 2009

July 19, 2012

3. Summary of the contents of the substantive policy statement:

This policy describes the board process regarding an administrative violation and imposing an administrative penalty for practicing without a license/certificate in accordance with A.R.S. § 32-1663.01(A)(1), (2), (3), (4)

Notices of Substantive Policy Statements

4. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a revision.

5. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Judy Bontrager, RN, MN, Associate Director of Operations and Licensing

Address: Arizona State Board of Nursing
4747 N. 7th St., Suite 200
Phoenix, AZ 85014

Telephone: (602) 771-7802

Fax: (602) 771-7888

E-mail: jbontrager@azbn.gov

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Copies of this policy statement may be obtained at no cost via e-mail to the person listed above or on the Board web site: www.azbn.gov. Hard copies may be obtained by contacting the person listed above for \$0.25 per page.